IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 376 OF 2007
IN
SECOND APPEAL NO. 21 OF 2002

BHAVESH HARISCHANDRA SHIRODKAR ... Applicant
Versus
SHRI BABULI MAHADEV CHODANKAR & ORS. ... Respondents

Ms. Sapna Mordekar,Advocate for the applicant.
Mr. S. Kalshawkar holding for Mr. A. Palekar,Advocate for the Respondent No.1.

Coram:- R. S. MOHITE, J.

Date:- 18th October, 2007

P.C.

This is an application for appointing respondent No.1 as guardian in respect of children of the deceased respondent No.4a, who were said to be minors. The party agree that out of the two children respondent No.4b has now attained the age of majority.

It is contended that both the children are in the care and protection of respondent No.1 who is paternal uncle of the two children. It is stated that respondent No.1 has no interest in the matter in controversy in the second appeal which is adverse to that of the minor. In the circumstances, the application is allowed and respondent No.1 may represent respondent No.4c as guardian till the stage respondent No.4c attains majority and not thereafter.

Leave to amend. M.C.A. disposed off.

R. S. MOHITE, J.

SMA